



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

Re: Defiance County
Defiance County Landfill
Notice of Violation

March 13, 2008

Defiance County Board of Commissioners
500 Court Street
Defiance, Ohio 43512

Dear Commissioners:

On March 8, 2008, Ohio EPA was notified, via e-mail, by the Defiance County Landfill management, that on March 7, 2008, the BAT Phase 1A liner was damaged by a dump truck that was hauling excavated overburden with flagged waste from the Phase 2B slope area to the working face in Phase 1A. The truck got stuck as it crossed over the containment berm between Phase 1A and Phase 2A which resulted in the spinning of wheels and the ensuing damage to the liner. An inspection of the site on March 10, 2008, by landfill management personnel, the landfill's consultant, and an Ohio EPA representative confirmed the breach in the liner.

Ohio Administrative Code (OAC) Rule 3745-27-19(E)(1)(c) states the following:

The owner or operator shall maintain the integrity of the engineered components of the sanitary landfill facility and repair any damage to or failure of the components. "Engineered components" include the components described in rule 3745-27-08 of the Administrative Code and components of the monitoring system(s) installed in accordance with rule 3745-27-10 of the Administrative Code. Failed or damaged engineered components shall be investigated and reconstructed in strict compliance with the existing applicable authorizing documents. If a redesign is necessary, prior approval of an alteration or a modification shall be obtained.

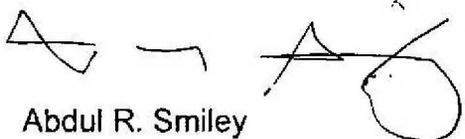
The owner/operator of the Defiance County Landfill is in violation of OAC Rule 3745-27-19(E)(1)(c) for failure to maintain the integrity of an engineered component, i.e., the liner in Phase 1A.

The owner/operator of the facility must act in a timely fashion to investigate the extent of damage to the liner, and in due course, come up with a plan to reconstruct the damaged liner in strict compliance with approved PTI No. 03-16690, or seek an alteration/modification which must be approved prior to implementation.

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If you have any questions regarding this letter, please contact me at (419) 373-3068.

Sincerely,

A handwritten signature in black ink, appearing to read 'Abdul R. Smiley'. The signature is stylized with a large, circular flourish at the end.

Abdul R. Smiley
Division of Solid and Infectious Waste Management

/csl

pc: Tim Houck, Defiance County Landfill
James Moseley, MSG
{File: Defiance County Landfill, Engineering }

ec: Abdul Smiley, Ohio EPA, DSIWM, NWDO
Kim Burnham, Ohio EPA, DSIWM, NWDO
Habib Kaake, Ohio EPA, DSIWM, NWDO